

July 19, 2011

Dan Rodriguez  
Business Agent  
International Brotherhood of Electrical Workers, Local No. 332  
2125 Canoas Garden Avenue, Suite 100  
San Jose, CA 95124

**RE: City/IBEW Negotiations**

Dear Dan:

We are in receipt of your letter dated July 18, 2011, regarding the negotiations over a new MOA and our recent meeting of July 5, 2011. We appreciate IBEW's interest in resuming negotiations for a successor Memorandum of Agreement (MOA).

As you know, the MOA between the City and IBEW expired on June 30, 2011. On May 31, 2011, the City Council approved the imposition of various terms for Fiscal Year 2011-2012. As such, when the City and IBEW commence negotiations, the current status includes those terms that the City Council approved on May 31<sup>st</sup>. Since the MOA has expired, either party may send notification to the other of its interest to meet and confer over any mandatory subject of bargaining, as the duty to bargain over issues that are within the scope of representation does not extinguish.

To clarify the City's position and the intent of our letter dated June 22, 2011, it is the City's interest to have a successor MOA. If IBEW at any time provides any proposals to the City that seeks to change the status quo, we will discuss your proposal with the City Council.

Please provide your availability for the months of July and August, if you are so inclined to now commence negotiations for a successor MOA.

Sincerely,



Gina Donnelly  
Deputy Director of Employee Relations

c: Frank Crusco, IBEW